



333 W. San Carlos Street  
Suite 600  
San Jose, CA 95110-2731  
408.975.7500  
Fax 408.975.7501

RECEIVED  
CENTRAL FAX CENTER  
MAY 11 2005

**Fax Transmission**

From: **Frank L. Bernstein** Date: **May 11, 2005**  
Direct Dial: **408.975.7988** Fax: **408.975.7501**  
Client/Matter: **13309/1** Total number of pages: **4**  
(including cover)

*Please deliver to:*

Name	Company	Fax	Phone
<b>Ex. William C. JUNG</b> <b>Group Art Unit 3737</b>	<b>U.S. Patent and</b> <b>Trademark Office</b>	<b>703-872-9306</b>	

**Message:**

Application No. : 09/662,224 Confirmation No. 3054  
Applicant : Philipp LANG et al.  
Filed : September 14, 2000  
Title : ASSESSING THE CONDITION OF A JOINT AND  
DEVisING TREATMENT  
TC/A.U. : 3737  
Examiner : William C. JUNG

**PAPER ENTITLED:** Information Disclosure Statement  
Form PTO/SB/08A

**2 pages**  
**1 page**

☒ Original will not follow ☐ Original will follow by ☐ Regular Mail ☐ Overnight Delivery ☐ Hand Delivery

The information contained in this facsimile transmission, including any attachments, is subject to the attorney-client privilege, the attorney work product privilege or is confidential information intended only for the use of the named recipient. If the reader of this Notice is not the intended recipient or the employee or agent responsible for delivering this transmission to the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this transmission in error, please notify us immediately by telephone, so that we may arrange for its return or destruction at our cost. Thank you.

New York Washington, DC Silicon Valley [www.kenyon.com](http://www.kenyon.com)

**Patent****Attorney Docket No.: 13309/1****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : 09/662,224 Confirmation No. 3054  
Applicant : Philipp LANG et al.  
Filed : September 14, 2000  
Title : ASSESSING THE CONDITION OF A JOINT AND DEVISING  
TREATMENT  
TC/A.U. : 3737  
Examiner : William C. JUNG

**RECEIVED  
CENTRAL FAX CENTER****MAY 11 2005****INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Submitted herewith is an Information Disclosure Statement under 37 CFR §1.97(b)(3) with two (2) references listed on the attached PTO/SB/08A form. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed after the mailing date of the first Office Action on the merits, but before the mailing date of either a final action under §1.113 or a notice of allowance under §1.311.

Attorney Docket No. 13309/1

**INFORMATION DISCLOSURE STATEMENT**

U.S. Application No. 09/662,224

If any fee is required, the Office is hereby authorized to charge any fees, or credit any overpayments under 37 CFR §1.17(p) to Kenyon & Kenyon, Deposit Account No. 11-0600.

Respectfully submitted,  
KENYON & KENYON

Dated: May 11, 2005



Frank L. Bernstein  
Reg. No. 31,484

KENYON & KENYON  
333 West San Carlos St., Suite 600  
San Jose, CA 95110

Telephone: (408) 975-7500

Facsimile: (408) 975-7501

Customer No. 36806

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this paper is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 11, 2005.

  
Thea K. Wagner

PTO/SB/08A (08-03)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

**Complete if Known**

Application Number	09/662,224
Filing Date	September 14, 2000
First Named Inventor	Philipp LANG
Art Unit	3737
Examiner Name	William C. JUNG
Attorney Docket Number	13309/1

[illegible][illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codex of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.